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**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-M-7922-2024

Date of Decision: 19.03.2024

Rimpal Singh

...Petitioner

VS.

State of Punjab

...Respondent

Coram : Hon'ble Mr. Justice N.S.Shekhawat

Present : Mr. Amardeep Singh, Advocate
for the petitioner.

Mr.M.S.Bajwa, Deputy Advocate General, Punjab.

Mr. Balwinder Singh, Advocate
for the complainant.

N.S.Shekhawat J. (Oral)

1. The petitioner has filed the present petition under Section 438 of Cr.P.C., with a prayer to grant anticipatory bail to him in case FIR No.273 dated 10.12.2023, registered under Section 25 of Arms Act (Section 27 of Arms Act 1959 added later on), at Police Station Chheharata, District Police Commissionerate Amritsar, District Amritsar.

2. Learned counsel for the petitioner contends that in the present case, a secret information was received about Amritpal Singh @ Kalu, who was habitual of selling illegal weapons. However, the petitioner was not named in the FIR nor the averments made in the FIR connect the petitioner with the alleged crime in any manner. He further contends that the petitioner has been named on the basis of the disclosure statement of co-accused Amritpal Singh @ Kalu and apart from the said statement, the police could not collect any

evidence against him. Learned counsel further contends that the recovery has already been effected from co-accused Amritpal Singh @ Kalu and the custodial interrogation of the petitioner is not required in the present case.

3. On the other hand, status report has been filed by way of an affidavit of Assistant Commissioner of Police, (Detective), Amritsar City, in Court today and the same is taken on record. Learned State counsel submits that in the present case, on getting the information with regard to Amritpal Singh @ Kalu, he was apprehended by the police in a raid. During personal search of Amritpal Singh @ Kalu, one illegal pistol with two magazines and two live cartridges of .32 bore were recovered from his conscious possession and thereafter, Amritpal Singh @ Kalu was formally arrested in this case. During the police remand, Amritpal Singh @ Kalu made a disclosure statement and 12 country made pistols of .32 bore with 23 magazines were recovered from his house situated at village Bhullar, District Tarn Taran. During the course of investigation, Amritpal Singh @ Kalu suffered a disclosure statement that in addition to the recovered 13 country made pistols, he had given 4 country made pistols of .32 bore to the present petitioner for selling further. Learned counsel further contends that the petitioner had introduced as Amritpal Singh @ Kalu with a supplier of illegal weapons, who was resident of village Sindhwan, District Barwani, Madhya Pradesh and the earlier consignment of four illegal pistols was delivered to the present petitioner. On the strength of the said statement, the petitioner was also arrayed as accused in the present case. Learned counsel further contends that the present petitioner is involved in smuggling of illegal weapons and his custodial interrogation is required to recover the illegal weapons and also to identify the person, who had supplied

the consignment of illegal weapons to Amritpal Singh @ Kalu and even inquiry is to be made with regard to the persons, who have further purchased weapons from the present petitioner.

4. I have heard learned counsel for the parties and perused the record.
5. It is evident from the submissions made by learned State counsel that serious and specific allegations have been levelled against the present petitioner. In the present case, Amritpal Singh @ Kalu was formally arrested by the police and 13 illegal pistols along with 25 magazines were recovered from him. Still further, the petitioner had introduced Amritpal Singh @ Kalu with the supplier of illegal weapons in District Barwani, Madhya Pradesh and the investigation is at the nascent stage.
6. Consequently, keeping in view the gravity of the offence, the petitioner is not entitled to the relief of anticipatory bail in the present case. Apart from that even in the considered opinion of the Court, the custodial interrogation of the petitioner would be required to take the investigation further to a logical end.
7. Dismissed.

19.03.2024.
hemlata

(N.S.SHEKHAWAT)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No